

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

Bky No. 00-32959

In re:

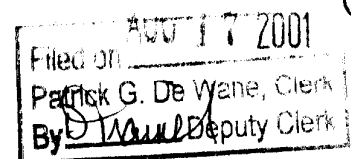
Roger L. Tabbert,

Debtor.

**APPLICATION FOR
FINAL COMPENSATION**

TO: All interested parties.

1. Fuller, Seaver & Ramette, P.A. ("Firm") applies for the relief requested below.
2. This court has jurisdiction over this application pursuant to 28 U.S.C. §§157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding. The petition commencing this Chapter 7 case was filed on or about July 12, 2000. The case is now pending in this court.
3. This application arises under 11 U.S.C. §330, Bankruptcy Rule 2016(b) and Local Rule 2016-1. This application is filed under Bankruptcy Rule 9014 and Local Rule 9013-2. The Applicant requests relief with respect to the allowance of final compensation for attorneys' fees and expenses incurred by the Trustee with FSR from October 31, 2000 to date.
4. Attached hereto as Exhibit A is the Court's Order approving the Firm's employment as counsel for the Trustee.
5. There was no retainer fee paid to the Firm and the Firm has made no previous applications for compensation.



6. The attorneys with time entries on this file, their billing codes, and normal hourly rates are as follows:

Randall L. Seaver, number 03, \$245 per hour
Andrea M. Hauser, number 05, \$185 per hour

7. The total of fees sought by the Firm is \$3,717.75 together with expenses in the amount of \$222.62. A detailed description of the services provided is as follows:

a. Fee Application.

The Firm prepared this final fee application. An itemization for those activities is attached hereto as Exhibit B. The total of attorneys' fees sought for this matter is \$245.

b. Transfer Avoidance Matter.

The Trustee learned that the Debtor had transferred a Harley Davidson motorcycle post-petition. Both the motorcycle and the supposed transfer were undisclosed. After the Trustee was unable to resolve the matter, the Firm, on behalf of the Trustee, commenced an avoidance action against the transferee, Michael Mattes. Discovery was served and responded to. The Firm conducted settlement negotiations, and a settlement agreement was reached whereby Mattes paid the estate the sum of \$3,500 in settlement of the transfer avoidance claim.

The total of fees billed in this matter is \$2,364.25, but the Firm seeks only \$1,500 in compensation on this matter. The total of expenses in this matter is \$39.09. An itemization for those activities is attached hereto as Exhibit C.

c. **Discharge Action.**

The Firm, on behalf of the Trustee, commenced an action against the Debtor under 11 U.S.C. §727, seeking denial of his discharge. The Firm prepared and served discovery. The Firm prepared the necessary trial documents and prepared for and attended the scheduled trial. Neither the Debtor nor his attorney appeared at trial and at that time the court entered an order denying the Debtor's discharge.

The total of fees billed in this matter is \$1,972.25. The total of expenses in this matter is \$183.53. An itemization for those activities is attached hereto as Exhibit D.

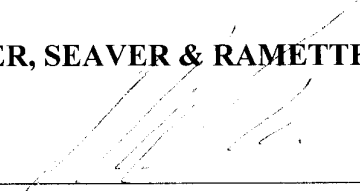
8. The total of fees and expenses by category is as follows:

	<u>Fees</u>	<u>Expenses</u>
Final Fee Application	\$ 245.00	\$
Transfer Avoidance Matter	1,500.00	39.09
Discharge Action	1,972.75	183.53
Total Fees	3,717.75	
Total Expenses		222.62
GRAND TOTAL	\$3,940.37	

WHEREFORE, the Firm applies for allowance of final compensation for attorneys' fees in the amount of \$3,717.75, together with expenses in the amount of \$222.62 for a total of \$3,940.37.

FULLER, SEAVER & RAMETTE, P.A.

Dated: August 14, 2001

By: 
Randall L. Seaver 152882
12400 Portland Avenue South, Suite 132
Burnsville, MN 55337
(952) 890-0888

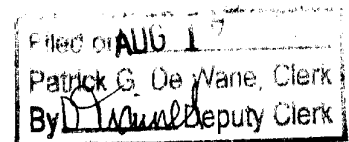
VERIFICATION

I, Randall L. Seaver, attorney for the moving party named in the foregoing Application for Final Compensation, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on August _____, 2001



Randall L. Seaver



From: U.S. TRUSTEE OFFICE
Forwarded to Clerk for
filing CC

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

BKY No. 00-32959

Chapter 7

In re

Roger L. Tabbert,

Debtor.

**Application for Approval of
Employment of Attorney,
Recommendation and Order**

1. Applicant is the Trustee in this case.
2. Applicant believes that the employment of an attorney is necessary to represent or assist the Trustee in carrying out the Trustee's duties as follows: To prosecute a §727 action against the Debtor and to recover a 1981 Harley Davidson motorcycle.
3. Randall L. Seaver, a shareholder in the law firm of Fuller, Seaver & Ramette, P.A. and the law firm of Fuller, Seaver & Ramette, P.A., Parkway Place, 101 West Burnsville Parkway, Suite 201, Burnsville, MN 55337 (the "Firm") are qualified by reason of practice and experience to render such representation or assistance, and the Trustee seeks to retain the Firm pursuant to 11 U.S.C. §327(e).
4. The compensation will be based upon an hourly rate plus costs. The hourly rates of the firm members are from \$155-\$245 per hour.
5. Said professional has disclosed to the Trustee the following connections with the debtors, creditors, or any other party-in-interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the Office of the United States Trustee: None, except (a) Randall L. Seaver, a shareholder in the Firm, is the Trustee in this case; (b) the Firm represents the Trustee and other panel trustees in unrelated matters; (c) two members of the Firm are panel trustees; and (d) The Trustee, in this and other cases, has employed Terry R. Marguth and Marguth Auction Company. The Debtor was previously married to the sister of a secretary employed by Marguth Auction Company. They were divorced in December, 1999.
6. The Trustee has made the following efforts to recover the asset prior to submitting this Application: The Trustee discovered that the Debtor did not schedule a 1981 Harley Davidson which he had been awarded ownership of in a divorce decree filed in December, 1999. The Trustee told the Debtor that the Trustee's agent would pick up the motorcycle, but the Trustee has been advised that the Debtor claims that he does not now have the motorcycle.

Wherefore, applicant requests that the Court approve such employment by the Trustee.

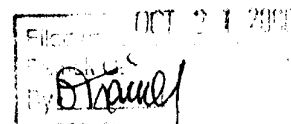


EXHIBIT A

Dated: October 25, 2000


Randall L. Seaver

2014(a) Rule Verification

I, Randall L. Seaver, Esq., a shareholder in the firm of Fuller, Seaver & Ramette, P.A., the proposed professional named in the foregoing Application, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Dated: October 25, 2000


Randall L. Seaver

(12)

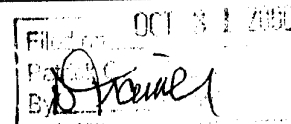
Recommendation of the United States Trustee

Based upon the Application made by the Trustee, I recommend that the professional employment applied for by the Trustee be approved for the purpose indicated in the Application.

Barbara Stuart
United States Trustee
Region 12

Dated: October 27, 2000

By: 



(12)

Order

Upon the foregoing Application and Recommendation and for cause shown and pursuant to the provisions of Title 11 United States Code, Section 327, it is

Ordered that the professional employment applied for is Approved subject to the limitations on compensation provided by Title 11 United States Code, Section 328.

Dated: November 1, 2000

By: /s/ Dennis D. O'Brien

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NOTICE OF ELECTRONIC ENTRY AND
FILING ORDER OR JUDGMENT
Filed and Docket Entry made on 11/01/00
Patrick G. De Wane, By SKM

013393	03	08/01/01	245.00	.50	122.50	Draft and dictate fee application.
013393	03	08/07/01	245.00	.50	122.50	Draft and dictate revisions to fee application.
TOTAL					<u><u>\$245.00</u></u>	

EXHIBIT B

Date: 07/31/01

Detail Transaction File List
FULLER, SEAYER & RAMETTE, P.A.

Page: 1

Client	Date	Tmkr	E/A Cat	Src	H P	T X	B C	R C	Tcd	Slmt # Rate	Clype Hours	Amount	
13047.000	01/22/01	3	200		A				999	245.00	1.00	245.00	Review documents; drafting and dictating complaint.
13047.000	01/23/01	3	200		A				10	245.00	0.40	98.00	Drafting and dictating complaint revisions.
13047.000	01/23/01	3	200		A				10	245.00	0.75	183.75	Drafting and dictating complaint revisions.
13047.000	01/24/01	3	200		A				10	245.00	0.30	73.50	Drafting and dictating complaint revisions.
13047.000	01/26/01	3	200		A				4	245.00	0.15	36.75	Review new material from court - summons; do service letters.
13047.000	02/02/01	3	200		A				4	245.00	0.40	98.00	Review new material from Postal Service - undelivered mail; drafting and dictating new service; telephone conference with directory assistance.
13047.000	02/13/01	3	200		A				2	245.00	0.50	122.50	Telephone conference with Attorney Burton regarding motorcycle claim; dictating letter to Attorney Burton regarding motorcycle claim.
13047.000	02/13/01	3	200		A				9	245.00	0.15	36.75	Dictating letter to Attorney Burton regarding transfer.
13047.000	02/13/01	3	200		A				4	245.00	0.10	24.50	Review new material from Postal Service - green card.
13047.000	02/22/01	3	200		A				4	245.00	0.25	61.25	Review new material from Attorney Burton - answer and strategize.
13047.000	02/23/01	3	200		A				999	245.00	0.15	36.75	Review answer.
13047.000	02/28/01	3	200		A				10	245.00	0.75	183.75	Drafting and dictating discovery.
13047.000	03/02/01	3	200		A				10	245.00	1.00	245.00	Drafting and dictating discovery revisions and deposition notice; drafting and dictating letter regarding same.
13047.000	03/09/01	3	200		A				4	245.00	0.10	24.50	Review new material from Attorney Burton - settlement confirmation.
13047.000	03/09/01	3	200		A				10	245.00	0.50	122.50	Drafting and dictating settlement.
13047.000	03/09/01	3	200		A				2	245.00	0.20	49.00	Telephone conference with Attorney Burton regarding settlement.
13047.000	03/13/01	3	200		A				10	245.00	0.30	73.50	Drafting and dictating settlement revisions.
13047.000	03/13/01	3	200		A				10	245.00	0.10	24.50	Drafting and dictating revisions to settlement.
13047.000	03/30/01	3	200		A				4	245.00	0.20	49.00	Review new material from Attorney Burton - signature; send to court.
13047.000	04/17/01	3	200		A				4	245.00	0.10	24.50	Review new material from Attorney Burton regarding payment.
13047.000	05/14/01	3	200		A				999	245.00	2.25	551.25	Prepare for, travel to and attend trial on discharge.
Total for Fees										Billable Total	9.65 9.65	2364.25 2364.25	
13047.000	01/24/01	3	E		A				84		0	1.10	Postage.
13047.000	01/29/01	3	E		A				84		0	5.39	Postage.
13047.000	01/31/01	3	E		A	7			94		0	8.00	Copying expense.
13047.000	02/02/01	3	E		A				84		0	4.84	Postage.
13047.000	02/28/01	3	E		A	7			94		0	1.75	Copying expense.
13047.000	03/29/01	3	E		A				84		0	0.76	Postage.
13047.000	03/30/01	3	E		A	7			94		0	15.25	Copying expense.
13047.000	05/31/01	3	E		A	7			94		0	2.00	Copying expense.
Total for Expenses										Billable Total	0.00 0.00	39.09 39.09	
Grand Totals										Billable Total	9.65 9.65	2403.34 2403.34	

EXHIBIT C

Date: 07/31/01

Detail Transaction File List
FULLER, SEAVER & RAMETTE, P.A.

Page: 1

Client	Date	Tmkr	R/A Cat	Src	H T B R P X C C Tcd	Stmt # Rate	Ctype Hours	Amount
2906.000	10/25/00	3	200		A	10	245.00	1.25
2906.000	11/18/00	3	200		A	320	245.00	0.20
2906.000	12/06/00	3	200		A	10	245.00	0.75
2906.000	12/09/00	3	200		A	10	245.00	0.15
2906.000	12/11/00	3	200		A	10	245.00	0.15
2906.000	12/26/00	3	200		A	2	245.00	0.15
2906.000	12/27/00	3	200		A	2	245.00	0.40
2906.000	01/04/01	3	200		A	999	245.00	0.20
2906.000	01/20/01	3	200		A	999	245.00	0.20
2906.000	04/26/01	3	200		A	10	245.00	1.75
2906.000	05/01/01	3	200		A	10	245.00	1.75
2906.000	05/02/01	3	200		A	10	245.00	0.75
2906.000	05/03/01	3	200		A	10	245.00	0.25
2906.000	05/04/01	3	200		A	999	245.00	0.10
Total for Fees						Billable	8.05	1972.25
						Total	8.05	1972.25
2906.000	10/30/00				A	84	0	4.52
2906.000	10/31/00				A	7 94	0	5.75
2906.000	12/31/00	3	E		A	7 94	0	3.50
2906.000	05/01/01	3	E		A	84	0	0.76
2906.000	05/03/01	3	E		A	84	0	1.01
2906.000	05/07/01	3	E		A	84	0	1.94
2906.000	05/07/01	3	E		A	96	0	19.67
2906.000	05/09/01	3	E		A	96	0	26.83
2906.000	05/14/01	3	E		A	96	0	3.00
2906.000	05/14/01	3	E		A	96	0	12.00
2906.000	05/31/01	3	E		A	7 94	0	103.75
Total for Expenses						Billable	0.00	183.53
						Total	0.00	183.53
Grand Totals						Billable	8.05	2155.78
						Total	8.05	2155.78

EXHIBIT D